

## **EXHIBIT 9**

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

OFFICE COPY

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VIRGIN ENTERPRISES LIMITED,

Plaintiff,

- against -

THOMAS FRANK, VIRGIN-INVESTMENT.COM,  
N.C. SMOL, VIRGIN-AMERICA.COM, DIRECT  
INFORMATION PVT LTD, VIRGINMACAU.COM,  
C3 FINANCIAL SERVICES, INC.,  
VIRGINMONEYUSA.COM, INTERNET EQUITY  
INVESTORS, LLC, VIRGINPROPERTIES.COM,  
1734488 ONTARIO INC., VIRGINPROPERTIES.NET,  
QUENTRALL AIR CONDITIONING SERVICES, and  
VIRGIN-PROPERTIES.COM,

Defendants.  
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ECF CASE

07 Civ. 6234 (LAP)

**CLERK'S CERTIFICATE**

I, J. Michael McMahon, Clerk of the United States District Court for the Southern District of New York, do hereby certify that this action was commenced on July 5, 2007, with the filing of a complaint; the summons and complaint were served on defendant N.C. Smol on July 11, 2007; and proof of such service was filed with this Court on July 16, 2007; the amended complaint was filed and served on July 17, 2007; and proof of such service was filed with this Court on August 24, 2007.

I further certify that the docket entries indicate that defendant N.C. Smol has not appeared in this action and its time for doing so has expired. The default of defendant N.C. Smol is hereby noted.

Dated: New York, New York  
August, 24 2007

Clerk of the Court J. Michael McMahon

By:                     *RL*                    

Deputy Clerk

